

  
**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT  
JODHPUR**

S.B. Criminal Misc(Pet.) No. 6198/2024

Mool Singh Bhati S/o Shri Bheem Singh Bhati, Aged About 45  
Years, R/o Bolaguda, Tehsil Rani, Dist. Pali.

-----Petitioner

Versus

1. State Of Rajasthan, Through Pp
2. Utsav Kaushal S/o Koshal Kumar, R/o Darbhanga, Bihar  
And Presently Posted As Dm, Dist. Beawar, Rajasthan.

-----Respondents

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|-------------------|---|---------------------------------------------------------|
| For Petitioner(s) | : | Mr. B.S. Sandhu (through VC)<br>Mr. Dinesh Kumar Godara |
| For Respondent(s) | : | Mr. S.R. Choudhary, PP                                  |

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**HON'BLE MR. JUSTICE ARUN MONGA**

**Order**

**11/09/2024**

Learned counsel for the petitioner contends that the FIR in question is nothing, but an act of personal vendetta lashed out on the petitioner, who was a low-key official at the relevant time in the Collectorate at Pali.

Learned counsel further points out that already an FIR bearing No.259/2013 is registered based on the same very allegations on the complaint of the Collector, whom apparently the petitioner ended up annoying in course of his duty and, as an act of disproportionate reaction, he got the said earlier FIR registered against him. Subsequently, based on mere surmises and conjecture, the present FIR has again been registered making a vague allegation that in all likelihood, petitioner would have indulged in similar activities while being posted as Reader in the

office of the SDO at Pali where he was posted prior to being deputed in the office of the Collector.

Issue notice, returnable on 17.10.2024.

Learned Public Prosecutor accepts notice on behalf of respondent-State and seeks time to file response.

Meanwhile, no coercive steps shall be taken against the petitioner qua the FIR in question. However, petitioner shall join the investigation as and when summoned by the Investigating Officer.

Furthermore, it is expected of the superior police officials to look into the contents of the FIR and in case they arise out of the same allegations, then appropriate administrative steps will be taken to file a report of closure in the second and pursue the first FIR instead of conducting parallel investigation in two FIRs by keeping in mind the Apex Court judgment in *T. T. Anthony V/s State of Kerala and Ors. reported in 2001 Supreme Court Cases (Criminal) page no. 1048.*

**(ARUN MONGA),J**